

AG Platkin Joins U.S. Department of Justice and Seven Other States in Lawsuit Against Google’s Noncompetitive Ad Tech

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NEWARK – Attorney General Matthew J. Platkin today joined seven other Attorneys General and the United States Department of Justice (“DOJ”) in filing suit against Google over its efforts to eliminate competition in the digital advertising marketplace and create a monopoly for the company over all advertising bought and sold on the internet.

Filed today in the U.S. District Court for the Eastern District of Virginia, the joint federal and multistate complaint alleges Google used its dominance to unfairly restrict competition with sophisticated technological tools, informally known as “ad tech,” that have been developed to automate digital advertising. They allege Google used a two-pronged strategy over the last 15 years to eliminate ad tech competition through a series of acquisitions and wield its dominance through conduct that has forced more publishers and advertisers to use its products and deter them from using competing products.

“Big tech companies like Google have grown larger by stomping out competition in their industry to build monopolies over everything from searches to advertising,” **said Attorney General Platkin.** “How they acquire and use their power and influence must be scrutinized. Today’s lawsuit makes clear that no company is too big or powerful to be held accountable for their actions.”

The states and DOJ allege Google's conduct has drastically altered supply paths through which available digital ads are sold, reducing payouts to publishers, burdening advertisers and publishers with lower-quality matches of advertisements to inventory, and hindering choice and innovation across the digital advertising marketplace. The lack of competition has also had harmful effects on consumers.

The complaint asserts multiple causes of action alleging violations of the Sherman Act, the federal law prohibiting monopolistic business practices. Google compels users to use both its AdX and DFP programs, which are separate and distinct products. Google's AdX has sufficient dominance in the market for open web display advertising to coerce publishers to license DFP, thus restraining market competition.

Along with New Jersey, the states joining DOJ in the lawsuit are California, Colorado, Connecticut, New York, Rhode Island, Tennessee, and Virginia. Deputy Attorneys General Yale A. Leber and Leslie Prentice of the Consumer Fraud Prosecution Section in the Division of Law's Affirmative Civil Enforcement Practice Group are representing New Jersey in the matter, under the supervision of Assistant Attorney General Brian F. McDonough, Deputy Director Jason W. Rockwell, and Director Michael T.G. Long.